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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,614	07/25/2003	Koichi Terui	500.42934X00	9386

20457 7590 12/02/2004

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EXAMINER

LAI, ANNE VIET NGA


ART UNIT

PAPER NUMBER

2636

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/626,614	Applicant(s) TERUI, KOICHI	
	Examiner Anne V. Lai	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☒ Claim(s) 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

In page 20, line 7, the applicant does not specify the data transmission and reception circuit "601" is element of which terminal in the system. Suggest change to -- 601 of the portable terminal 5 --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schuchman et al** [US. 6,169, 484] in view of **Halliday** [US. 6,720,881].

Regarding claim 6, **Schuchman et al** (figs. 1, claim 1) disclose an information provision system comprising a first portable terminal carried by a moving body (personal RF transponder unit), information provision equipment (RF transceiver interrogation unit; fig. 2, lines 43-45) and a server (service center) wherein the information provision equipment notifies the server when the first portable terminal is near the information provision equipment, the server notifies a person of interest (col. 4, line 62) that the first portable terminal is in a region of danger based on the current position of the information provision equipment.

Schuchman et al do not specifically disclose the person of interest is carrying a portable terminal to receive the notification however mobile communication (pager, cellular phone) is known in emergency notification transmission. **Halliday** (fig. 1) teaches an information provision system comprising a first portable terminal 20, a second portable terminal 40, information provision equipment 70 and a server 50, wherein upon sensing the first portable terminal 20 approaching the information provision equipment 70, signal is sent to the server 50 which in turn notifies the second portable terminal 40 (pager) that the first portable terminal is in a region of danger. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to use a portable terminal as taught by **Halliday** in **Schuchman et al** system to receive wireless notification signal from the server for facilitating the mobility of the user (caretaker) (Halliday, col. 5, lines 58-62).

Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-5 are allowed over prior art of record because the cited references either alone or combined do not disclose the entire claimed invention:

A portable terminal comprising: a transmission part to transmit signal indicating presence at a prescribed location and presence of a communication counter party at a prescribed location, a reception part to receive signal indicating a moving body is approaching or is present at the prescribed location, an alarm, a light detector, and a

decision part; wherein the decision part decides whether or not to transmit a present in prescribed location signal based on the brightness detected by the light detector.

A portable terminal comprising a transmission part to transmit signal indicating presence at a prescribed location and presence of a communication counter party at a prescribed location, a reception part to receive signal indicating a moving body is approaching or is present at the prescribed location, and an alarm part; wherein the reception part receives a specified presence signal from a specified portable terminal informing that the specified terminal is present or in close proximity to the prescribed location, the transmission part does not transmit the present in prescribed location signal.

The underline limitations are critical since it shows the system of improvement.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elliot discloses an anytime/anywhere child locator system. [US. 6,243,039]

Layson et al disclose an offender and victim collision avoidance and advanced warning system. [US. 5,982,281]

Carroll et al disclose an electronic system and method for monitoring compliance with a protective order. [US. 5,396,227]

Ricketts discloses a method and system for monitoring personnel. [US. 5,218,344]

Lawrence discloses a personal emergency locator system. [US. 5,021,794]

Levinson et al disclose a security and communication system. [US. 4,611,198]

Hoshen discloses a locator device useful for house arrest and stalker detection.
[US. 5,461,390]


Neher discloses a global positioning satellite tracking device. [US. 5,905,461]

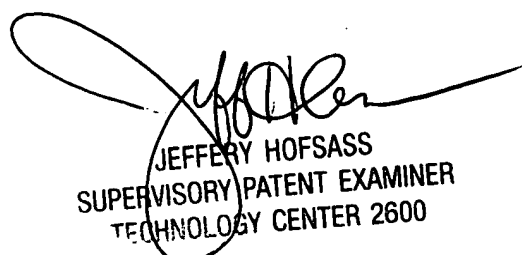
Kalthoff et al disclose a remote-to-remote position locating system [US.
2001/0048364]

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 571-272-2974. The examiner can normally be reached on 8:00 am to 5:30 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A.V.Lai
11/23/04


JEFFERY HOFSSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600